



Attorney's Docket No. \_\_\_\_\_

PATENT

### COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

#### TYPE OF DECLARATION

This declaration is of the following type: *(check one)*

- |                                       |  |
|---------------------------------------|--|
| <input type="checkbox"/> Original     | <input checked="" type="checkbox"/> National Stage PCT |
| <input type="checkbox"/> Supplemental | <input type="checkbox"/> Divisional                    |
| <input type="checkbox"/> Design       | <input type="checkbox"/> Continuation                  |
|                                       | <input type="checkbox"/> Continuation-in-Part (CIP)    |

#### INVENTORSHIP IDENTIFICATION

**NOTE:** If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Stable cream preparations of phenyl-pyridone compounds for topical application

the specification of which: *(complete (a), (b) or (c))*

- (a) ☐ is attached hereto.
- (b) ☐ was filed on \_\_\_\_\_ as  
☐ Serial No. \_\_\_\_\_ or  
☐ Express Mail No. \_\_\_\_\_, as Serial No. not yet known  
and was amended on \_\_\_\_\_. *(If applicable)*
- (c) ☒ was described and claimed in PCT International Application No. PCT/ CH2003/000615  
filed on September 11, 2003 and as amended under PCT Article 19 on \_\_\_\_\_. *(If any)*

#### ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above, and that the filing of said specification, if heretofore filed, was authorized by me.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

**CLAIM OF PRIORITY OF EARLIER FOREIGN APPLICATION(S) UNDER 35 U.S.C. §119(a)-(d)**

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

*(List prior foreign/PCT application(s) filed within 12 months (6 months for design) prior to this U.S. application.)*

**NOTE:** Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

COUNTRY (orPCT)	APPLICATION NO.	DATE OF FILING (Day/Month/Year)	PRIORITY CLAIMED UNDER 35 USC §119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S) UNDER 35 U.S.C. §119(e)**

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

*(List prior U.S. provisional applications.)*

PROVISIONAL APPLICATION NO.	FILING DATE (Day/Month/Year)

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S) UNDER 35 U.S.C. 120**

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application:

(List prior U.S. applications or PCT international applications designating the U.S. for benefit under 35 U.S.C. §120.)

**U.S. APPLICATIONS**

**STATUS** (Check One)

U.S. SERIAL NO.	U.S. FILING DATE (Day/Month/Year)	Patented	Pending	Abandoned
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
0 /		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**PCT APPLICATIONS DESIGNATING THE U.S.**

**STATUS** (Check One)

PCT APPLN. NO.	PCT FILING DATE (Day/Month/Year)	U.S. SERIAL NOS ASSIGNED (If any)	Patented	Pending	Abandoned
PCT/ CH2003/000615	September 11, 2003		<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
PCT/			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**35 USC 119 PRIORITY CLAIM, IF ANY, FOR ABOVE LISTED U.S./PCT APPLICATIONS**

PRIORITY APPLICATION NO.	PRIORITY COUNTRY	FILING DATE (Day/Month/Year)	ISSUE DATE (Day/Month/Year)
1556/02	Switzerland	September 13, 2002	

**POWER OF ATTORNEY**

As a named inventor, I hereby appoint the attorney(s) and/or agent(s) at Customer Number 23869 to prosecute this application and transact all business in the Patent and Trademark Office in connection therewith.

PLEASE SEND CORRESPONDENCE TO:

PLEASE DIRECT TELEPHONE CALLS TO:

HOFFMANN & BARON, LLP  
6900 Jericho Turnpike  
Syosset, NY 11791

(973) 331-1700

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**SIGNATURE(S)**

Full Name of Sole or First Inventor: Max Scheiwe

Country of Citizenship: Germany

Residence Address: Adolf Strübe Strasse 16, 79689 Maulburg / Germany

Post Office Address: Same as above

Date: 11 Feb 2005 Inventor's signature 

Full Name of Second Joint Inventor: Yalcin Centikaya

Country of Citizenship: Turkey

Residence Address: Eggstrasse 33, 4402 Frenkendorf / Switzerland

Post Office Address: Same as above

Date: 11. Febr. 2005 Inventor's signature 

Full Name of Third Joint Inventor:

Country of Citizenship:

Residence Address:

Post Office Address:

Date: \_\_\_\_\_ Inventor's signature \_\_\_\_\_



Docket No.: 753-47 PCT/US

FORM PTO-1595 (Modified)  
(Rev. 03-01)  
OMB No. 0651-0027 (exp. 5/31/2002)  
P08A/REV03

## RECORDATION FORM COVER SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

## PATENTS ONLY

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To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Max SCHEIWE  
Yalcin CETINKAYA

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: February 11, 2005

## 2. Name and address of receiving party(ies):

Name: Mepha AG

Address: Dornacherstrasse 114

City: Aesch State/Prov.:

Country: Switzerland ZIP: CH-4147

Additional name(s) &amp; address(es)

☐ Yes ☒ No

## 4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: March 11, 2005

Patent Application No.

Filing date

B. Patent No.(s)

Additional numbers

☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel A. Scola, Jr.

Registration No. 29,855

Address: Hoffmann &amp; Baron, LLP

6900 Jericho Turnpike

City: Syosset State/Prov.: NY

Country: USA ZIP: 11791-4407

## 6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41):.....\$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account☐ Authorized to be charged to deposit account

## 8. Deposit account number:

08-2461

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Christina L. Warrick

Name of Person Signing

Signature

March 11, 2005

Date

5

Total number of pages including cover sheet, attachments, and

Mail documents to be recorded with required cover sheet information to:  
Mail Stop Assignment Recordation Services  
Director of the United States Patent and Trademark Office  
P.O. Box 1450 Alexandria VA 22313-1450

Attorney's Docket No.: \_\_\_\_\_

**PATENT**

For: ☒ U.S. and/or ☒ Foreign Rights  
For: ☒ U.S. Application;  
☐ U.S. Provisional Application;  
☐ U.S. Patent; or  
☒ PCT Application  
By: ☒ Inventors or ☐ Present Owners

**ASSIGNMENT OF INVENTION**

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS: (inventor(s) or person(s) or entity(ies) who own the invention)

Max SCHEIWE	Yalcin CETINKAYA	
Name	Name	Name
Adolf Strübe Strasse 16	Eggstrasse 33	
Address	Address	Address
DE-79689 Maulburg, Germany	CH-4402 Frenkendorf, Switzerland	
German	Turkish	
Nationality	Nationality	Nationality
Name	Name	Name
Address	Address	Address
Nationality	Nationality	Nationality

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on \_\_\_\_\_

Reel \_\_\_\_\_

Frame \_\_\_\_\_

hereby sells, assigns and transfers to

ASSIGNEE:

Mepha AG

(Type or print name of ASSIGNEE)

Dornacherstrasse 114

Address

CH-4147 Aesch, Switzerland

Swiss

Nationality

and the successors, assigns and legal representatives of the ASSIGNEE,

(complete one of the following)



the entire right, title and interest



an undivided \_\_\_\_\_ percent (\_\_\_\_%) interest

for the United States and its territorial possessions



and in all foreign countries, including all rights to claim priority,

in and to any and all improvements which are disclosed in the invention entitled:

**STABLE CREAM PREPARATIONS OF PHENYL-PYRIDONE COMPOUNDS FOR  
TOPICAL APPLICATION**

and which is found in

(check and complete (a), (b), (c), (d), (e), (f), or (g))

(a)



U.S. patent application executed on even date herewith

(b)



U.S. patent application executed on \_\_\_\_\_

(c)



U.S. provisional application naming the above inventor(s) for the above-identified invention.

☐ Express Mail label No.: \_\_\_\_\_, mailed: \_\_\_\_\_



To comply with 37 CFR 3.21 for recordal of this assignment, I, an ASSIGNOR signing below, hereby authorize and request my attorney to insert below the filing date and application number when they become known

(d)



U.S. application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_

(e)



International application No. PCT/\_\_\_\_\_/\_\_\_\_\_

(f)



U.S. Patent No. \_\_\_\_\_ issued \_\_\_\_\_

- ☐ A change of address to which correspondence is to be sent regarding patent maintenance fees is being sent separately.
- (g) ☐ and any legal equivalent thereof in a foreign country, including the right to claim priority

and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, division, renewal, or substitute thereof, and as to Letters Patent any re-issue or re-examination thereof.

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

ASSIGNOR further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, I/We have hereunto set hand and seal this

WARNING: Date of signing must be the same as the date of execution of the application if item (a) was checked above.

Date: <u>X 11 Feb. 2005</u> Date of signing	<u>X</u> Max SCHEIWE
Date: <u>X 11 Feb. 2005</u> Date of signing	<u>X</u> Yalcin CETINKAYA
Date: <u>X</u> Date of signing	<u>X</u>
Date: <u>X</u> Date of signing	<u>X</u>
Date: <u>X</u> Date of signing	<u>X</u>
Date: <u>X</u> Date of signing	<u>X</u>
Date: <u>X</u> Date of Signing	<u>X</u>

NOTE: No witnessing, notarization or legalization is necessary. If the assignment is notarized or legalized then it will only be prima facie evidence of execution 35 USC 261. Use next page if notarization is desired.



☐ Notarization or Legalization Page Added.